

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office **APR 23 2014**

Returned to applicant for correction _____

Corrected application filed _____ Map filed **5/10/2011** under **80700**The applicant **National Fish and Wildlife Foundation****1133 Fifteenth Street NW, Suite 1100**of **Washington**

Street Address or PO Box

City or Town

District of Columbia 20005

hereby make(s) application for permission to change the

State and ZIP Code

☐ Point of diversion☒ Place of use☒ Manner of use☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Claim No. 66 of the Walker River Decree, granted and adjudicated to defendant, A. and M. Grulli, Successor to Pacific Livestock Company, said Decree entered by the District Court of the United States in and for the District of Nevada in that certain action entitled "The United States of America, Plaintiff, vs Walker River Irrigation District, et. al., Defendants, in Equity Docket C-125"

1. The source of water is **Walker River and its Tributaries**

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed **3.134 cubic feet per second (See Attachment "A," Item 2)**

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Wildlife Purposes in accordance with NRS Chapter 533**

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for **Purposes as Decreed**

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

Water administered for non-diversion within the SE 1/4 NW 1/4 Section 2, T.13N., R.25E., M.D.M., or at a point from which the West 1/4 corner of said Section 2 bears South 83°43' West, a distance of 1,708.6 feet (Weir Diversion Structure). Refer to map filed in support of Application No. 80700.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

The point of diversion, referred to hereinafter as the point of non-diversion, will not be changed.

Mason Valley
9-108
Lg

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Water under this application will remain within the Walker River from the Weir Diversion Structure, through USGS Wabuska Gauge, then through Weber Reservoir into and including Walker Lake. Refer to map filed in support of Application No. 80700. Refer to Attachment "A." Item 7 for proposed place of use.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

Refer to Attachment "A." Item 8 for existing place of use. Refer to map filed in support of this application.

9. Proposed use will be from As Decreed to As Decreed of each year.
Month and Day Month and Day

10. Existing use permitted from As Decreed to As Decreed of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

No additional works proposed.

12. Estimated cost of works None - No additional works proposed.

13. Estimated time required to construct works None - No additional works proposed.

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Ten (10) Yrs to serve all priorities

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

Refer to Attachment "A." Item No. 15 for additional information.

16. Miscellaneous remarks:

cfacque@farrwestengineering.com

E-mail Address

775-853-7268

Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Chris N. Facque

Chris N. Facque
Type or print name clearly

Signature, applicant or agent

Farr West Engineering

Company Name

5442 Longley Lane, Suite A

Street Address or PO Box

Reno, Nevada 89511

City, State, ZIP Code

Item No. 2 - The Amount of Water to be Changed:

A portion of Walker River Decree C-125
Claim No. 66, granted and adjudicated to A.
& M. Grulli, Successor to Pacific Livestock
Company

Claim	Priority	C.F.S.	Acres
66	1864	0.145	12.09
66	1865	0.058	4.84
66	1870	0.221	18.38
66	1875	0.453	37.73
66	1880	0.608	50.69
66	1885	0.387	32.22
66	1890	0.270	22.54
66	1895	0.180	14.99
66	1900	0.348	29.02
66	1905	0.464	38.7
Total		3.134	261.20

Reference flow and creage under Walker
River Irrigation District Ledger Card Nos.
12623 and 36701.

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Item No. 7 - Proposed Place of Use:

The proposed place of use is within the Walker River from the Weir Diversion Structure, through USGS Wabuska Guage, then through Weber Reservoir into and including Walker Lake, all within portions of the following Sections, Townships and Ranges:

Section(s)	Township - North	Range - East	Unsurveyed?
2	13	25	
36 & 35 25 & 24 13 & 12 1	14	25	
18 7 & 6	14	26	
36	15	25	
31 & 30 25 thru 19 16 thru 14	15	26	
33 thru 29	15	27	
13 thru 11 5 thru 2	14	27	
33 29 & 28 21 thru 18	14	28	
36 26 & 25 23 15 & 14 10 & 9 5 & 4	13	28	

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 DEPT. OF WATER

Section(s)	Township - North	Range - East	Unsurveyed?
36 25 & 24 1	12	28	Portions Unserved

34 thru 26 23 thru 18 8 thru 6	12	29	Portions Unserved
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35 thru 32 28 thru 26 22 thru 20 17 thru 15 9 thru 5	11	29	Portions Unserved
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31	10 1/2	30	Portions Unserved
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36 thru 32 29 thru 20 17 thru 8 5 thru 1	10	29	Portions Unserved
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32 thru 29 20 thru 17 8 thru 5	10	30	Portions Unserved
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36 & 35 27 thru 21 16 thru 8 5 thru 1	9	29	Portions Unserved
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35 thru 26 22 thru 16 8 thru 5	9	30	Portions Unserved
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12 2 & 1	8	29	Portions Unserved
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9 thru 3	8	30	Portions Unserved
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Refer to map filed in support of Permit No. 80700.

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Item No. 8 - Existing Place of Use:

Walker River Decree Claim No. 66
Walker River Irrigation District Ledger Card Nos. 12623 and 36701
Portion of Lyon County Assessor's Parcel Nos. 14-321-31, 14-241-32, and 14-241-44 (no acreage stripped)
Decreed Owner: A. and M. Gruilli, Successor to Pacific Livestock Company (Pg. 29)

Existing Place of Use

APN	Claim	Qtr Qtr	Qtr	Section	Township	Range	Acres
14-321-31	66	NW	NW	31	14N	26E	7.33
14-321-31	66	SW	SW	30	14N	26E	0.72
14-321-31	66	SE	SW	30	14N	26E	5.95
14-321-32	66	NE	SE	25	14N	25E	24.36
14-321-32	66	SE	SE	25	14N	25E	39.89
14-321-32	66	NW	SW	30	14N	26E	38.08
14-321-32	66	NE	SW	30	14N	26E	38.34
14-321-32	66	SW	SW	30	14N	26E	38.06
14-321-32	66	SE	SW	30	14N	26E	33.34
14-321-32	66	NE	NE	36	14N	25E	6.58
14-321-32	66	NW	NW	31	14N	26E	28.55
TTL Acs							261.20

Refer to map filed in support of this Application.

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Item No. 15 - Detailed description of project:

Applicant seeks administration of the changed water right at the point of non-diversion subject to the continuing jurisdiction and regulation by the Nevada State Engineer, the United States Board of Water Commissioners, and the Walker Decree Court as follows:

1. The full decreed flow rate whenever such rights are fully in priority (see Table 1);

Table 1: Full Decreed Flow Rate (in CFS) by Priority (administered at Point of Diversion)

Claim	Priority	Acres	C.F.S.	Walker River Decree C-125 Claim No. 66, granted and adjudicated to A. & M. Grulli, Successor to Pacific Livestock Company
66	1864	12.09	0.145	
66	1865	4.84	0.058	
66	1870	18.38	0.221	
66	1875	37.73	0.453	
66	1880	50.69	0.608	
66	1885	32.22	0.387	
66	1890	22.54	0.270	
66	1895	14.99	0.180	
66	1900	29.02	0.348	
66	1905	38.7	0.464	
Total		261.20	3.134	

2. The consumptive use portion (determined to be 3.10 acre-feet per acre as set forth in the Evapotranspiration and Net Irrigation Water Requirements for Nevada (NIWR) for the net irrigation water requirement for alfalfa in Mason Valley) to be protected from diversion by others from the point non-diversion through USGS Wabuska Gauge, then through Weber Reservoir into and including Walker Lake (see Table 2); and

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Item No. 15 - Detailed description of project (continued):

Table 2: Consumptive Use Flow Rate (in CFS) by Priority (administered at the Wabuska Gage)

Claim	Priority	Acres	Consumptive Use Portion	
			Duty in AF @ 3.1	C.F.S.
66	1864	12.09	37.479	0.077
66	1865	4.84	15.004	0.031
66	1870	18.38	56.978	0.117
66	1875	37.73	116.963	0.241
66	1880	50.69	157.139	0.323
66	1885	32.22	99.882	0.206
66	1890	22.54	69.874	0.144
66	1895	14.99	46.469	0.096
66	1900	29.02	89.962	0.185
66	1905	38.7	119.970	0.247
Total		261.20	809.720	1.667

3. The non-consumptive portion at the Chief Deputy Water Commissioner's discretion including to avoid conflict with and injury to other existing water rights and to mitigate hydrologic system losses at and downstream of the point of non diversion upstream of the USGS Wabuska Gage.

Applicant proposes to manage the conveyance of water from the USGS Wabuska Gauge to Walker Lake consistent with the Lower Walker River Conveyance Protocols agreed to by the Walker River Paiute Tribe, U.S. Bureau of Indian Affairs and National Fish and Wildlife Foundation and the findings of NSE Ruling 6271 related thereto.

Applicant further proposes to ensure payment of operation and maintenance charges, including ditch charges, that are properly assessed and come due as if the water rights were still appurtenant to the agricultural lands from which they are changed.

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U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT